

**Box No. VIII (ii) DECLARATION: ENTITLEMENT TO APPLY FOR AND BE GRANTED A PATENT**

*The declaration must conform to the standardized wording provided for in Section 212; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (ii). If this Box is not used, this sheet should not be included in the request.*

Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii), in a case where the declaration under Rule 4.17(iv) is not appropriate:

In relation to this international application,

Microbia, Inc., is entitled to apply for and be granted a patent by virtue of the following:

an assignment from John Jeffrey Talley, Brian M. Cali, Yueh-Tyng Chien, Mark G. Currie and Craig Zimmerman to Microbia, Inc., dated December 18, 2003.

This declaration is made for the purposes of all designations, except the designation of the United States of America.

This declaration is continued on the following sheet, "Continuation of Box No. VIII (ii)".

**Box No. VIII (iii) DECLARATION: ENTITLEMENT TO CLAIM PRIORITY**

*The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iii). If this Box is not used, this sheet should not be included in the request.*

Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

In relation to this international application,

Microbia, Inc., is entitled to claim priority of earlier application No. 60/511,792

by virtue of the following:

an assignment from John Jeffrey Talley, Brian M. Cali, Yueh-Tyng Chien, Mark G. Currie and Craig Zimmerman to Microbia, Inc., dated December 18, 2003.

This declaration is made for the purposes of all designations, except the designation of the United States of America

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iii)".